

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

MARION MISIAK and
MARY BETH MISIAK,

 Plaintiffs,

v.

No. 07 CV 6330

MORRIS MATERIAL HANDLING, INC., a
foreign corporation, d/b/a P&H Cranes, P&H
CRANES, individually and as a division of
Morris Material Handling, Inc., WHITING
CORPORATION, a foreign corporation,
HUBBELL INCORPORATED, a foreign
corporation, d/b/a Gleason Reel Corp., and
GLEASON REEL CORP., a foreign
corporation, a/k/a GRC International,
individually and as a division of Hubbell
Incorporated,

Defendants.

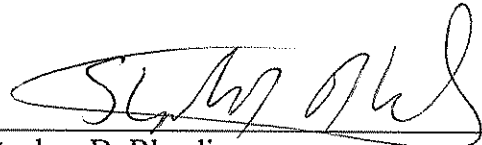
AFFIDAVIT OF STEPHAN D. BLANDIN

I, STEPHAN D. BLANDIN, being duly sworn upon his oath, states as follows:

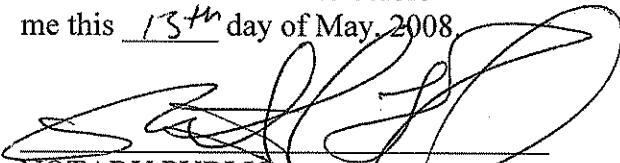
1. I am the attorney primarily responsible for plaintiffs Marion and Mary Beth Misiak.
2. On April 11, 2008, I caused a subpoena to issue to Union Tank Car Company requesting the production of the person with the most knowledge of the work-related accident of Marion Misiak on November 7, 2006.
3. I had multiple telephone conversations with Mr. Timothy Hoffman, counsel for Union Tank, regarding the production of Union Tank's employee for his or deposition pursuant to the subpoena.
4. Mr. Hoffman politely explained to me that he is unable to produce the requested person until Union Tank's pending motion to disqualify against defendant Morris Material is resolved.
5. Mr. Hoffman and I agreed that, in an effort to keep discovery moving along, we would bring this issue to the court's attention in the form of a motion to compel.
6. Plaintiffs are unable to move forward with their case and will be prejudiced by any further delay in complying with the subpoena.



FURTHER AFFIANT SAYETH NOT.


Stephan D. Blandin

Subscribed and Sworn to before
me this 13th day of May, 2008


NOTARY PUBLIC

